IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2294 OF 2006
IN
WRIT PETITION NO.5763 OF 2004

Janabai w/o R.J.Bhandari & Ors. .. Applicants.
Vs.
Dr.Ramesh Dattatreya Pandit & Ors. .. Respondents.

Mr.A.Y.Bookwala i/b Jose George for the applicants.
Mr.Ryan D'Souza i/b A.S.Rai for respondent no.4.

CORAM : D.B.BHOSALE, J.

DATED : 22ND SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the applicants and respondent no.4.

2. In this civil application, the applicants have made the following prayer:

> "(a) that this Hon'ble Court be pleased to declare that except for the demarcated 850 sq. yds. kept which kept in tact along with all benefits arising therefrom till the disposal of the Petition the Petitioners are entitled to develop the balance of F.P.No.463 and 464 with all benefits arising therefrom including the road FSI of 1243.59 sq.mtrs."

3. Mr.D'Souza, learned counsel for respondent no.4 states that respondent no.4 has no objection for the applicants developing final plot No.463 and 464 with all benefits arising therefrom including the road

F.S.I. of 1243.50 sq.mtrs. save and except what has been provided in the order dated 27.4.2006 passed by this Court on Civil Application No.1035 of 2006 in Writ Petition No.5763 of 2004 dated 27th April, 2006 and more particularly paragraph 6 thereof. In view of the statement made by the learned counsel for respondent no.4, Mr.Bookwala, learned senior counsel for the applicants does not press the civil application. Civil application is disposed of as not pressed. It is open for the applicants to produce copy of this order and the order dated 27.4.2006 before the concerned authority if they so desire. Civil application is disposed of.

(D.B.Bhosale, J.)